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C O N F I D E N T I A L SECTION 01 OF 02 MANILA 003901

SIPDIS

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TAGS: [PGOV](#) [PINS](#) [PINR](#) [RP](#)

SUBJECT: PRO-ARROYO MAJORITY WINS INITIAL VOTE IN HOUSE ON IMPEACHMENT CHARGES

REF: A. MANILA 3862

[TB](#). MANILA 3810

[TC](#). MANILA 3697

[TD](#). MANILA 3391

Classified By: Acting Pol/C Joseph L. Novak  
for Reasons 1.4 (b) and (d).

[11.](#) (C) Summary: The pro-Arroyo Majority in the House won the initial vote in the Justice Committee on the Opposition's impeachment charges against President Arroyo on August 23. The vote in the Committee was 54-24 against an Opposition motion to move directly into discussion of the substance of the charges. The Opposition has harshly criticized the Committee's decision, asserting that Malacanang was trying to stall debate contrary to promises that it would allow all charges to be fully aired. Hearings continued throughout the day on August 24. At this point, with the pro-Arroyo majority holding together to a large extent, the Opposition's effort to impeach Arroyo seems to be in some trouble. End Summary.

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Majority Wins Initial Vote  
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[12.](#) (U) The House Justice Committee voted on August 23 to resolve procedural issues concerning which impeachment complaint it should recognize before reviewing the substance of any of the charges made against President Arroyo. The Committee voted largely along party lines, with 54 members voting to defeat an Opposition motion to move directly to the substance of the charges. Twenty-four lawmakers supported the motion. Three members abstained. At issue is whether the Committee will consider the original complaint filed by private citizen Oliver Lozano in June, an amended complaint filed subsequently by another private citizen, or an amended and comprehensive complaint filed by Opposition lawmakers in July (ref d). The Opposition has underscored that its complaint should be the one recognized and discussed in the hearings. Pro-Arroyo Congressman Edcel Lagman, the Vice Chairman of the Justice Committee, defended the decision to resolve all procedural issues first, commenting that the Committee's decision will "provide a roadmap for the orderly handling of the impeachment complaints." He added that: "Nobody lost in the voting. It was a victory for the rule of law. It was a triumph for the Constitution."

[13.](#) (U) On August 24, the Committee continued its debate on the rules of the impeachment hearings. Chairman Simeon Datumanong vowed to reduce the list of procedural issues to the "barest minimum" in order to enable the Committee to move more quickly. As of late afternoon August 24, the Committee had not reached a consensus on the central issue of which impeachment complaint to consider. The Justice Committee is scheduled to reconvene from August 30 through September 1 to continue debate.

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Opposition Lashes Out  
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[14.](#) (C) Opposition lawmakers have grown increasingly critical of what they see as efforts by the Administration to stonewall in the Justice Committee and to avoid addressing the central issues in the impeachment complaints. Opposition members assert that it is time that the hearings reviewed substantive issues, noting that 22 session days have already passed without discussion of any substantive issues, over one-third of the time allotted. (Note: The Justice Committee must give its recommendation to the House within 60 session days of opening hearings into the impeachment complaint. End Note.) Ronnie Zamorra, an anti-Arroyo congressman from Manila, told Acting Pol/C recently that he was certain that Malacanang was trying to stall debate and, by doing so, derail the proceedings. He asserted that such an effort was contrary to Arroyo's promises to allow the impeachment charges to be fully aired. Surigao del Norte Representative Robert "Ace" Barbers, at an August 23 press conference where he endorsed the Opposition's impeachment complaint, said, "We can never see the truth in killing the impeachment process due to a technicality." (Note: Barbers

and at least three other representatives announced their support for the opposition's impeachment complaint on August 123. There are different figures, but about 50 House members seem to have endorsed the complaint as of this time. A total of 79 or more House members need to endorse the complaint if it is going to be referred to the Senate. End Note.)

15. (C) Opposition lawmakers, such as Minority Leader Francis "Chis" Escudero, have threatened to walk out of the proceedings if the Justice Committee decides to hear only the original Lozano petition, which many believe to be the weakest complaint against the President. Furthermore, some lawmakers are threatening to "take the issue to the streets" and air their grievances through protests if they become convinced that the impeachment hearings are not going anywhere. In the recent meeting with Acting Pol/C, Zamorra made clear that the "street protest" option was something the Opposition was seriously considering if its complaint was not the one selected for review by the Justice Committee.

16. (U) Despite the setbacks in the House, some Opposition members believe they can make progress in the House on the impeachment charges regardless of which complaint the Committee ultimately decides to review. Pro-Opposition Congressman Allan Peter Cayetano said in an interview that he and his colleagues can present key allegations against Arroyo under the blanket charge of "betrayal of public trust," which is an element in all three impeachment complaints.

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Comment  
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17. (C) The pro-Arroyo majority in the House is a considerable one and it seems to be holding together to a large extent at this point. The Opposition has shown little ability to pick up cross-over support, though some in the Opposition claim that more House members support its impeachment complaint than have publicly admitted to doing so. Thus far, the news from the House is largely positive for Malacanang. It is possible, however, that Malacanang could win the battle, but lose the war for public opinion if it is perceived as trying to stifle debate in the House.

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